



## California State Fire Marshal **CODE INTERPRETATION**

Date Issued	10-21-03	Interpretation #	03-034
Topic	Group R, Division 2 Occupancies Located Above the First Floor		
Code Section(s)	§3.23, Title 19, California Code of Regulations		
Requested by	Walt McDermott 1003 Via Mil Cumbres Solana Beach, CA 92075		

***In Group R, Division 2 and Group R, Division 6 occupancies that house non-ambulatory persons above the first floor, must the buildings be of Type I- FR or Type II- FR construction as specified in §3.23?***

No. The issue of non-ambulatory persons above the first story is addressed in law [§13131.5 (b), California Health and Safety Code] for facilities housing more than six elderly clients. §310.2.2 of the California Building Code addresses other Group R, Division 2 occupancies, while Exception #1 in Appendix Chapter A, Section 316A.1 addresses Group R, Division 6 facilities housing non-ambulatory clients above the first floor. (Note: §3.23 is being revised.)